

## REMARKS

Please cancel claims 17, 19, 22, 23, 27-30, 33-36, 39 and 61-66, as being directed to non-elected claims.

Attorney for Applicants is appreciative of the thoroughness of the Examiner's Office Action mailed February 20, 2004. The points made in this Office Action will be addressed in the same order as they were set out in the Office Action.

### **Response to Election/Restrictions**

At page 3 of the February 20, 2004 Office Action, the Examiner noted that "[a] complete reply to the final [restriction] rejection must include cancellation of non-elected claims." By this Amendment, Applicants canceled non-elected claims 17, 19, 22, 23, 27-30, 33-36, 39 and 61-66.

### **35 U.S.C. § 112; "neuronal"**

Claims 49-60 were rejected as the term "neuronal" is not followed by the word "cell." Applicants are appreciative of the Examiner's statement at page 4 of the Office Action that "[i]nsertion of the word 'cell' after 'neuronal' would be remedial." Claim 49 (claims 50-60 depend from claim 49) has been so amended.

### **35 U.S.C. § 112; "BMP" antagonists"**

The Examiner's Office Action at pages 4-6 rejects claims 1-11, 15, 43-45, 47 and 49-60 based on the breadth of the term "BMP antagonists." The Examiner notes that "applicants' specification describes five peptide inhibitors of BMP, namely fetuin, noggin, chordin, gremlin and follistatin." Independent claims 1, 43 and 49 have been amended to limit the term "BMP antagonists" to the five peptide inhibitors disclosed in Applicants' specification.

**35 U.S.C. § 112; "a homologous non-human counterpart"**

At page 6 of the Office Action the Examiner states that "applicants have not provided any disclosure of anything other than human MSX-1 and human HES-1." Independent claims 1, 43 and 49 have been amended in order to delete the phrase "a homologous non-human counterpart."

**CONCLUSION**

In view of the above described amendments, allowance of claims 1-11, 15, 43-45, 47 and 49-60 is earnestly solicited.

Respectfully submitted,

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